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RUCNARF/ASEAN REGIONAL FORUM COLLECTIVE
RUEHHM/AMCONSUL HO CHI MINH CITY

C O N F I D E N T I A L SECTION 01 OF 02 HO CHI MINH CITY 000217

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SUBJECT: UPDATE ON HCMC LAND RIGHTS ACTIVIST BUI KIM THANH

REF: A) HCMC 103; B) 06 HCMC 1483 AND PREVIOUS

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CLASSIFIED BY: Seth Winnick, Consul General , CONGEN HCMC, State Department.

REASON: 1.4 (b), (d)

1. (C) Summary: The sister-in-law of Bui Kim Thanh -- the HCMC land rights activists involuntarily committed to a mental institution -- was emphatic in a March 8 meeting that Thanh is not/not mentally ill. The sister-in-law's comments reinforce reporting from other ConGen contacts that Thanh has been targetted by police for her peaceful social activism. Police and prosecutors -- and not health care professionals -- continue to take the lead in determining the outcome of this case. Thanh's husband, a Communist Party member, fears retribution against him and his two sons (all three have government jobs) and is collaborating with police, she said. End Summary.

2. (C) On March 8, we met with Nguyen Thi Nguyet (strictly protect), the sister-in-law of Bui Kim Thanh, the HCMC land rights activist who has been involuntarily committed to a mental institution since November 2006. Nguyet told us that she had lived with Thanh for 15 years from 1986 to 2001 and remains close to her. Nguyet was firm that Thanh has never suffered from mental illness. Thanh, however, has a strong sense of justice and fair play; it is her advocacy for what she believes is right that has gotten her in trouble with the authorities.

"She knows the law."

3. (C) Nguyet confirmed reporting from other ConGen contacts (reftels), that, after graduating from law school in HCMC, Thanh began working to assist rural peasants and the urban poor with their land grievances against the government. She joined land rights protests in front of government offices in HCMC. In one such protest in the summer of 2006, a police vehicle ran over a protestor, who subsequently died. Thanh apparently was so angered by the police action that she threatened to claim the corpse and parade it around HCMC in an effort to seek redress for the victim. This was the last straw for the police, who then moved against her.

4. (C) Asked why Thanh was sent to a mental institution instead of prison, Nguyet indicated that the police told Thanh's husband that she could be involuntarily committed for six months in lieu of a six-year prison term. Thanh's husband, a member of the Communist Party, agreed to cooperate with police. Nguyet said that Thanh's husband feared that she would lose his government job and the futures of their two sons (who also have government jobs) also would be jeopardized. Nguyet confirmed ref A reporting that Thanh had filed for divorce in September 2006, but the courts had not begun to process the petition, giving her husband the legal right to represent her before the authorities. Thanh's husband had filed for her to be released into his

recognizance before the February Lunar New Year holidays. The HCMC Prosecutor's office rejected the request.

15. (C) Nguyet has been able to visit Thanh five times since her admission to the mental institution. She was turned away in five other instances because she was not accompanied by someone from Thanh's immediate family. When she was able to see Thanh, Nguyet clandestinely took letters from Thanh to be delivered to land rights activists and to dissident Tran Khue, the Deputy General Secretary of the Democratic Party of Vietnam. Some letters critical of the GVN were posted on the Internet. Thanh's husband confronted her and said that police were aware of the Internet postings and "scolded" him for allowing the letters to slip out. Police reportedly warned her husband that the "actions of your other family members mean that it will just take longer for your wife to be released."

16. (C) Nguyet confirmed as authentic letters from Thanh saying that she has decided to stop service as a lawyer for the Democratic Party of Vietnam and the land rights movement (ref A). Nguyet said that, during their last meeting, Thanh told her "for the time being and for the sake of my children, she would sacrifice herself."

17. (C) Nguyet said us that she, Thanh and the "entire hospital," were aware of the failed attempt by PolOff to visit Thanh in January. (HCMC and Dong Nai provincial authorities denied our request to visit Thanh and meet with hospital staff.) Nurses in Thanh's ward (who Nguyet routinely bribes to gain information and secure better treatment for her sister-in-law), told her that, prior to our scheduled visit, hospital workers were called to an emergency meeting in which the hospital director instructed them on how to behave when the ConGen team arrived. When we failed to show, word quickly spread that police had successfully prevented the visit. Thanh was disappointed that the ConGen team was unable to gain access, Nguyet told us.

Comment

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18. (C) Thanh's sister-in-law is the latest in a series of contacts emphatic that Thanh is not mentally ill. This latest meeting reinforces the evidence that Bui Kim Thanh is being unfairly targetted -- and Vietnam's mental health system misused -- because of her peaceful social activism. It is apparent that the police and prosecutors -- and not medical workers -- continue to take the lead in determining the outcome of this case. ConGen will again seek to visit Thanh and to discuss her case with hospital officials the week of March 12. End Comment. WINNICK